

REMARKS

The present invention is an electronic radiotelephone. An embodiment of the invention includes a first housing 2 and a second housing 5 for housing the electronic components 11 of the radiotelephone. A biasing mechanism, which may be a spring 37, aids a user to release the second housing from the first housing. The first housing has an element, which may be a release button 26 with an operating surface 30, and a formation which cooperates with a complementary formation on the second housing for the user to releasably attach the first housing to the second housing. The element 26 is movable between a first and a second position such that when the element is in the first position, the formation and the complementary formation cooperate to allow the first housing to be coupled to the second housing and when in the second position, to allow the second housing to be removed from the first housing by the user. The element is resiliently compression biased by the biasing mechanism into the first position and allows a user to urge the element, via the operating surface, into the second position during the removal of the second housing from the first housing to act against the compression bias provided by the biasing mechanism and to release the cooperation of the formation and complementary formation thereby allowing the second housing to be removed from the first housing by the user without interference from the element. Page 6, lines 11-25, and page 7, lines 13-18, of the specification describe compression of the leaf spring when the covers are attached and further that the spring bias causes the front cover 2 to be urged away from the cover 5. Moreover, page 7, lines 25-31, through page 8, lines 1-2, describe the alternative use of a rubber seal.

Claims 4-6 and 15-17 stand objected as being improper multiple dependent form. Claims 3-6 have been rewritten to eliminate multiple dependency with new claims 23-48 having been substituted therefor.

Claims 1-3, 8-9, 12-14 and 19-20 stand rejected under 35 U.S.C. §102 as being anticipated by United States Patent 6,594,472. These grounds of rejection are traversed for the following reasons.

Claim 1, contrary to the Examiner's conclusion, is not anticipated by Curtis in view of the claimed biasing mechanism to aid a user to release the second housing part from the first part in combination with means for urging the second housing part away from the first housing part so that a front wall of the first housing part and a rear wall of the second housing part are urged apart which aids the removal of the second housing from the first housing. The Examiner's citation of column 3, lines 23-27, is noted. However, column 3, lines 23-27, describe the front cover being releasably attached to an upper portion of the inner housing 4 by means of snap on connection. The snap on connection does not suggest to a person of ordinary skill in the art the claimed biasing mechanism in combination with the means for urging.

Furthermore, it is noted that the Examiner has construed column 4, lines 4 through column 5, line 10, as disclosing the means for urging the second housing away from the first housing. In column 4, lines 27-33, what is described is the attachment of the front cover to the inner housing with the user holding and gripping a grip area 27 while urging the top section of the front cover away from the inner housing. This disclosure does not meet the means for urging. Furthermore, column 4, lines 57-63 and column 5, lines 6-11, describe a spring clip projecting into the cavity which prevents the rear cover from being slid longitudinally and prevents

the removal of the rear cover. It is submitted that this disclosure of the spring also does not meet the limitation of the means for urging. This is apparent since the spring clip moves away from the housing to which it is locked and therefore, cannot provide any urging away from the housing.

Claims 10-11 and 21-22 stand rejected under 35 U.S.C. §103 as being unpatentable over Curtis in view of United States Patent 4,719,322 (Guzik et al). The Examiner correctly notes that Curtis et al is assigned to Nokia Mobile Phones. Moreover, the Examiner notes that the reference is disqualified under 35 U.S.C. 102(c) as being commonly owned. In this regard, it should be noted that the assignment of the present application is of record in the August 1, 2001 United States Patent and Trademark Office Notice of Recordation of Assignment document of the present application which shows the Assignee to be Nokia Mobile Phones, Ltd., which is the same assignee as the Curtis et al Patent. Accordingly, the rejection of claims 10-11 and 21-22 on grounds of obviousness is overcome.

Newly submitted claim 49 has been added to generically claim the means for urging of claim 1 is elastically deformable which is generic to the spring 37 or the rubber seal disclosed at the bottom of page 7 of the specification.


In view of the foregoing amendments and remarks, it is submitted that each of the claims in the application is in condition for allowance. Accordingly, early allowance thereof is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. §1.136. Please charge any shortage in fees due in connection with the

filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (1344.40103X00) and please credit any excess fees to such Deposit Account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

A handwritten signature in black ink, appearing to read "Donald E. Stout", is written over a horizontal line.

Donald E. Stout
Registration No. 26,422
(703) 312-6600

DES:dlh